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**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

## SAN JOSE DIVISION

12 || UNITED STATES OF AMERICA,  
Plaintiff,

) Case No. CR11-00550-EJD  
 ) Related Case No. CR 11-00711 EJD

V.  
16  
17 ENRIQUE QUINTERO.

) ) STIPULATION AND  
)) [REOPOSED] ORDER CONTINUING  
)) STATUS CONFERENCE AND  
)) EXCLUDING TIME FROM APRIL 16,  
)) 2012 THROUGH APRIL 30, 2012

ENRIQUE QUINTERO,

Defendant.

21 Plaintiff United States of America, by and through their counsel Assistant United States  
22 Attorney, Thomas O'Connell, and defendant Enrique Quintero, by and through his attorney Michelle  
23 D. Spencer, hereby stipulate and agree that, subject to the Court's approval, that the status conference  
24 currently scheduled for April 16, 2012 should be continued to April 30, 2012.

25 The parties further stipulate that time should be excluded under the Speedy Trial Act from  
26 April 16, 2012 through April 30, 2012 so that defense counsel can conduct additional investigation

1 essential to the resolution of this case.

2  
3 IT IS SO STIPULATED.

4 MELINDA HAAG  
United States Attorney

5 Date: April 13, 2012

6 /S/  
7 THOMAS O'CONNELL  
Assistant United States Attorney

8 Date: April 13, 2012

9 /MDS/  
10 MICHELLE D. SPENCER  
Attorney for Enrique Quintero

11  
12 [PROPOSED] ORDER

13 Based upon the foregoing stipulation of the parties, and good cause appearing therefor, the  
14 Court finds that failing to exclude the time from April 16, 2012 through April 30, 2012 would  
15 unreasonably deny the defendant continuity of counsel and the reasonable time necessary for effective  
16 preparation, taking into account the exercise of due diligence pursuant to 18 U.S.C. §  
17 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from  
18 April 16, 2012 through April 30, 2012 from computation under the Speedy Trial Act outweigh the  
19 best interests of the public and the defendant in a speedy trial.

20 Therefore, IT IS HEREBY ORDERED that the time from April 16, 2012 through and  
21 including April 30, 2012 shall be excluded from computation under the Speedy Trial Act.

22  
23 Date: April 13, 2012

24  
25   
HON. EDWARD J. DAVILA  
United States District Judge